

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

IN RE: PHARMACEUTICAL)	
INDUSTRY AVERAGE)	MDL No. 1456
WHOLESALE PRICE LITIGATION)	Master File No. 1:01-CV-12257-PBS
_____)	Sub-Category Case No. 1:08-CV-11200
)	
THIS DOCUMENT RELATES TO:)	Judge Patti B. Saris
<i>United States ex rel. Linnette Sun and</i>)	
<i>Greg Hamilton, Relators</i>)	
<i>v.</i>)	
<i>Baxter Hemoglobin Therapeutics;</i>)	
<i>Baxter International Inc.; Baxter</i>)	
<i>Healthcare Corporation</i>)	
_____)	

SUN/HAMILTON'S NOTICE OF APPEAL

Notice is hereby given that Linnette Sun ("Sun") and Greg Hamilton ("Hamilton") (collectively "Relators Sun and Hamilton"), Plaintiffs in the above-referenced matter, hereby appeal to the United States Court of Appeals for the First Circuit from the Partial Final Judgment entered in this action on August 16, 2013, in favor of Defendant Baxter Healthcare Corporation, and against Plaintiffs Sun and Hamilton (Dkt. No. 235). In appealing from the Judgment, Plaintiffs-Appellants appeal from the entire Judgment against them, including all interlocutory orders, judgments, decrees, decisions, rulings and opinions that the District Court made in this case, and that have merged into and become part of the Judgment, shaped the Judgment, are related to the Judgment, and upon which the Judgment is based, including but not limited to the District Court's May 31, 2013 Memorandum Opinion and Order (Dkt. No. 228), and the District Court's January 26, 2012 entry of partial summary judgment (Dkt. No. 158).

Dated: August 27, 2013

Respectfully submitted,

LINNETTE SUN and GREG HAMILTON

By: /s/ David J. Chizewer
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CERTIFICATE OF SERVICE

The undersigned, an attorney, hereby certifies that he caused a true and correct copy of **SUN/HAMILTON'S NOTICE OF APPEAL** to be served via the Court's ECF/electronic mailing system on August 27, 2013, and/or via Federal Express or U.S. Mail, proper postage prepaid, on August 27, 2013, as indicated below, upon the following counsel of record:

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